

# NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 95.03 K, Closed Area No. 18, Potts Harbor, Merriconeag Sound and Harpswell Sound, Town of Harpswell, promulgated on April 27, 2001, is repealed and replaced with the following rule:

**TEXT OF RULE:** DMR Regulation 95.03 K, Closed Area No. 18, Orrs and Bailey Islands, Harpswell.

- 1) Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Orrs and Bailey Islands, Harpswell, east of a line beginning at the south tip of Bailey Island, then extending to navigational buoy C"9" at Interval Shoal, then to Johnsons Point on the west side of the mouth of Beals Cove.
- 2) Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Orrs Island, Harpswell, east of a line beginning at the east side of the mouth of Beals Cove, due east of Johnsons Point, then extending northwest to navigational buoy C"17" at Clark Ledge, then extending due east across the mouth of Reed Cove, 350 yards northeast of the Wilson Pond outlet.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: January 29, 2004

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TIMES RECORD  
February 2, 2004

## STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.03 K, Closed Area No. 18, Potts Harbor, Merriconeag Sound and Harpswell Sound, promulgated on April 27, 2001, and replaces it with a new regulation. This new regulation closes Reed Cove due to failing water quality. It also describes the closure of the west side of Bailey Island up to Johnsons Point on Orrs Island. This is also partly an administrative change. Closed areas at Potts Harbor and on Harpswell Neck are now described in the DMR regulations for Closed Area No. 17-E, Closed Area No. 17-F, and Closed Area No. 17-G.

The remaining closed areas are classified prohibited because of point and non-point pollution, which poses a threat to public health.

  
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DAVID ET'NIER  
DEPUTY COMMISSIONER



# Maine Department of Marine Resources

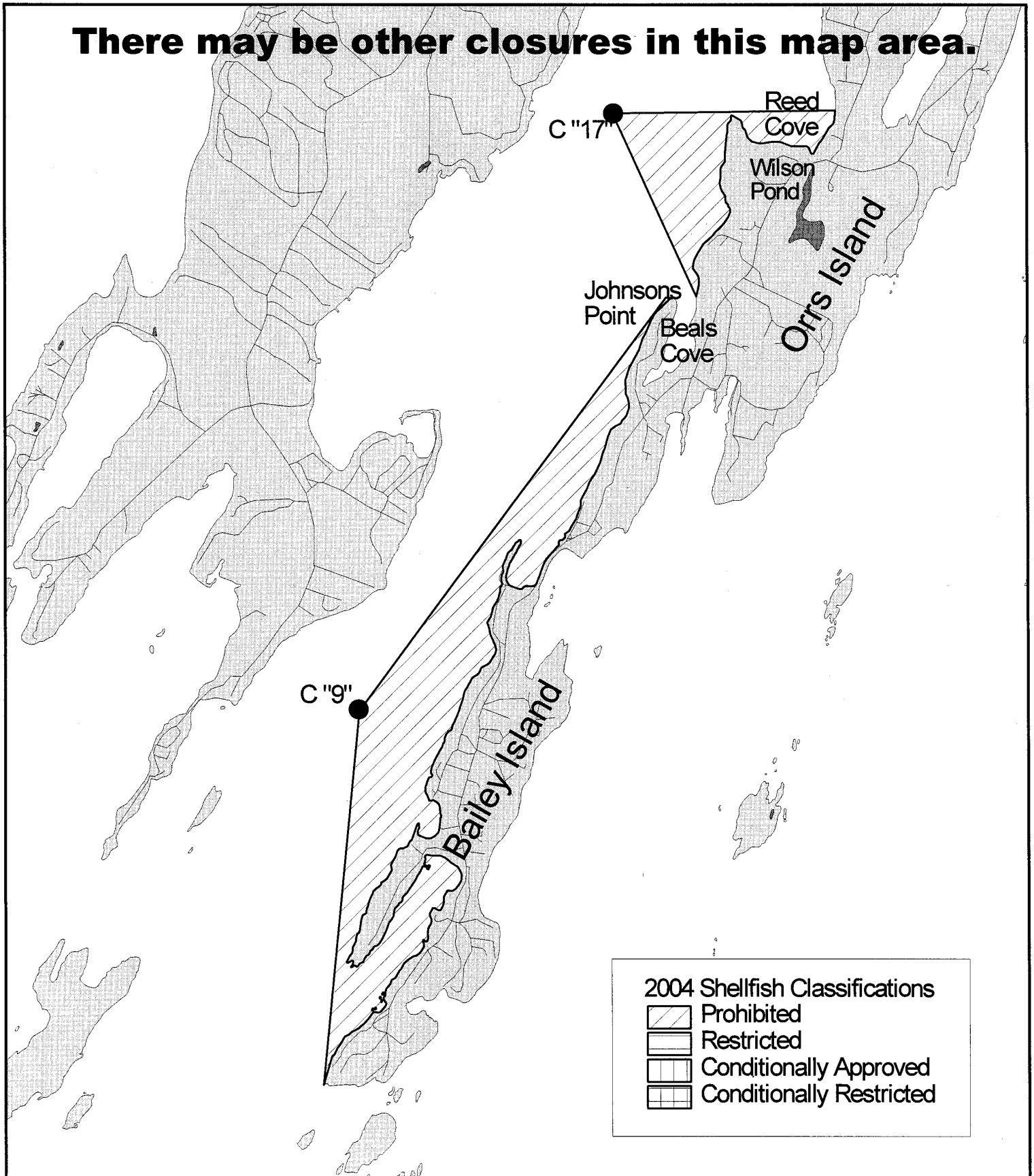
Legal Notice of Shellfish Closure Area

C18 Orrs and Bailey Islands, Harpswell

1/29/04



**There may be other closures in this map area.**



0.6 0 0.6 1.2 Miles